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**MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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**Comprehensive Water Supply and Sewerage Systems Plan Amendments  
Administrative Delegation Action 2009-4  
Water/Sewer Service Area Category Change Requests**

<b>I. CHRONOLOGY</b> - Interagency Notices of Public Hearing: .....	September 30, 2009
Published Notice of Public Hearing: .....	November 13, 2009
Public Hearing: .....	November 24, 2009
Public Hearing Record Closed: .....	December 1, 2009
<b>DEP Administrative Approval Action:</b> .....	<b>December 31, 2009</b>
MDE Review Completed: .....	.....

**II. BACKGROUND - Authority:** Under the Annotated Code of Maryland, Section 9-501, *et seq.*, the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county. As part of the staging element of *Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan* (CWSP), the Council has designated water and sewer service area categories for all properties within the county. Requests to change the water and/or sewer service area categories designated in the Plan constitute proposed amendments to that plan.

In the adopted CWSP, the County Council has delegated the authority to approve certain amendments to the Plan, including water and sewer category changes, by an administrative process, to the Director of the Department of Environmental Protection (DEP). To qualify for administrative consideration, these amendments must satisfy the specific requirements of the policies established by the Council as established in the CWSP, Chapter 1, Section V.F. Administrative Delegation.

**Proposed Plan Amendments:** DEP staff considered proposed amendments for approval by the administrative delegation process. The proposed amendments were reviewed by the following agencies, as appropriate: the Washington Suburban Sanitary Commission (WSSC), the Maryland - National Park and Planning Commission (M-NCPPC), and the Montgomery County Department of Permitting Services - Well and Septic Section (DPS). The amendments were also referred to the County Council-members for their review and concurrence.

**III. PUBLIC HEARING PROCESS - Public Hearing Notification:** In accordance with State regulations, the County provided a published notice of the administrative hearing at least 10 days prior in a newspaper of general, local circulation. This notice provided a link to the DEP website on which all pertinent documents were placed prior to that date. Also, in accordance with State regulations, DEP notified on November 16, 2009 the appropriate County and State agencies of the public hearing and the staff recommendations for each proposed amendment. DEP also provided a hearing notice to the following: each property owner/applicant, local civic association leaders, attorneys or engineers (as requested by the property owner), and abutting and confronting property owners, as identified by M-NCPPC.

**Public Hearing Testimony and Interagency Recommendations:** November 24, 2009, on behalf of DEP Director Robert Hoyt, DEP planner Alicia Youmans presided over the public hearing on the amendments under consideration for administrative approval. There were no attendees and no written statements were submitted as part of the hearing record.

The Planning Board considered M-NCPPC staff recommendations on the category change request at its regular meeting on November 6, 2009. M-NCPPC staff and the Board concurred with the DEP staff recommendations for the category change request 09A-GWC-04. The Planning Board provided a written notice of its action to DEP on November 13, 2009.

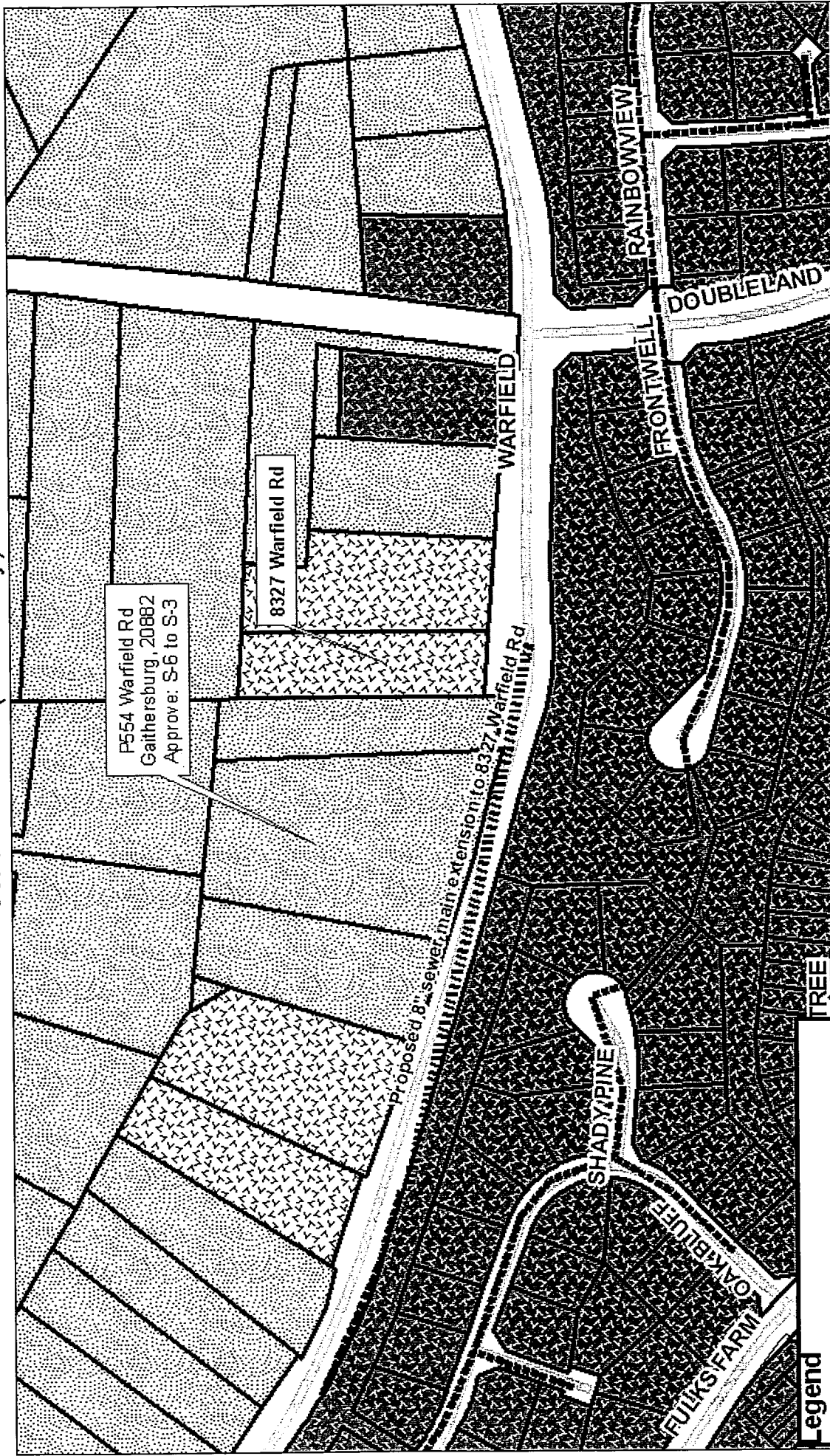
County Council did not submit any objections to, or concerns with, the proposed requests prior to the closing of the public record on December 1, 2009.

DEP closed the public hearing record on December 1, 2009, upon receipt of the Council staff notice. Summary information, which includes all interagency recommendations and all testimony for the proposed amendments, is on file with DEP.

**IV. DEP ADMINISTRATIVE ACTION** - The August 2003 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:  
**GOSHEN PLANNING AREA**

<b>WSSCR 09A-GWC-04: Canaday</b>							
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none"><li>▪ Parcel 554 Warfield Rd, Gaithersburg 20882</li><li>▪ Property ID: 01-00010841</li><li>▪ Map tile: WSSC – 228NW08; MD – GU123</li><li>▪ Located W of intersection of Doubleland Rd and Warfield Rd</li><li>▪ Agriculture &amp; Rural Open Space MP</li><li>▪ Middle Great Seneca Watershed</li><li>▪ RE-2 Zone; 2.71 acres</li><li>▪ <u>Existing use:</u> Vacant</li><li>▪ <u>Proposed use:</u> Residential</li></ul>	<table><tr><th colspan="2"><u>Existing – Requested – Service Area Categories</u></th></tr><tr><td>W-6</td><td>W-6(No change)</td></tr><tr><td>S-6</td><td>S-1</td></tr></table> <p><b><u>Action and Policy Justification:</u></b> <b>Approve S-1. Policy V.F.2.b Abutting Mains Policy.</b></p>	<u>Existing – Requested – Service Area Categories</u>		W-6	W-6(No change)	S-6	S-1
<u>Existing – Requested – Service Area Categories</u>							
W-6	W-6(No change)						
S-6	S-1						

# Sewer Services Category Map 09A-GWC-04(Canaday)



**Legend**

Canaday_Property	Sewer Categories
	S-1
	S-3
	S-4
	S-5
	S-6

21901\_Ridge\_Rd

Sewer Lines

Properties



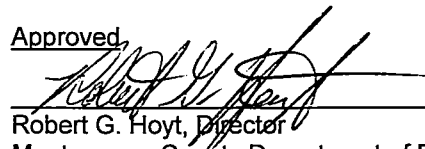
Montgomery County, Maryland  
2003 Comprehensive Water Supply  
and Sewerage Systems Plan

DEP  
Water and Wastewater  
Policy Group



Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendments described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* are approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include these amendments, and they will be shown as part of the next interim or triennial service area map update.

Approved



Robert G. Hoyt, Director  
Montgomery County Department of Environmental Protection

**V. M-NCPPC DEVELOPMENT REVIEW COMMITTEE UPDATE:**

DEP has not identified any current subdivision plans affected by the approvals granted under this administrative delegation action.

**VI. NOTIFICATION OF DEP ACTION** - DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 90 days to comment on the administrative approvals granted. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action. A list of agencies and individuals that will receive a copy of this summary of action follows:

Distribution: Interagency

Jay G. Sakai, Director, Water Mgt. Admin., MDE  
Michael J. Knapp, Montgomery County Council  
Nancy M. Floreen, Montgomery County Council  
Royce Hanson, M-NCPPC/Planning Board  
Keith Levchenko, Montgomery County Council  
Gene von Gunten, Department of Permitting Services  
Gwen Wright, M-NCPPC, County-Wide Planning Division

Cathy Conlon/Richard Weaver, M-NCPPC, Development Review Division  
Katherine Nelson, M-NCPPC, County-Wide Planning Division/Environmental Unit  
Peg Robinson/Dave Shen, WSSC, Development Services Group  
Luis Tapia, WSSC, Service Applications Group  
Pearl Walker, WSSC, Assessments Group

Distribution: Property Owners Listed Above/Other Interested Parties/Public Interest Groups

Attachments – Amendment Service Area Category Mapping

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